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Agenda item 79

Comprehensive Nuclear-Test-Ban Treaty

Report of the First Committee

Rapporteur: Mr. Motaz M. **Zahran** (Egypt)

I. Introduction

1. The item entitled "Comprehensive Nuclear-Test-Ban Treaty" was included in the provisional agenda of the fifty-third session of the General Assembly in accordance with Assembly decision 52/414 of 9 December 1997.

2. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 17 September 1998, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 63 to 79, which was held at the 3rd to 12th meetings, from 12 to 16 and from 19 to 21 October 1998 (see A/C.1/53/PV.3–12). Thematic discussions on the items were held, and draft resolutions were introduced and considered, at the 14th to 21st meetings, on 23 and from 27 to 30 October and on 2 November (see A/C.1/53/PV.14–21). Action on all draft resolutions was taken at the 22nd to 31st meetings, from 3 to 6 and on 9, 10, 12 and 13 November (see A/C.1/53/PV.22–31).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Letter dated 29 May 1998 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (A/53/132–S/1998/448);

(b) Letter dated 16 September 1998 from the Permanent Representative of the Federated States of Micronesia to the United Nations addressed to the Secretary-General, transmitting the communiqué of the twenty-ninth South Pacific Forum, held at Palikir, Pohnpei, Federated States of Micronesia, on 24 and 25 August 1998 (A/53/416);

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(c) Letter dated 15 October 1998 from the Permanent Representatives of the Russian Federation, Tajikistan and Uzbekistan to the United Nations addressed to the Secretary-General (A/53/506–S/1998/958);

(d) Note verbale dated 10 July 1998 from the Permanent Mission of Australia to the United Nations addressed to the Secretary-General (A/53/177).

II. Consideration of draft resolution A/C.1/53/L.11 and draft decision A/C.1/53/L.65

5. At the 16th meeting, on 27 October, the representative of *New Zealand*, on behalf of *Australia, Mexico* and *New Zealand*, subsequently joined by *Botswana, El Salvador* and *Fiji* introduced a draft resolution entitled "Comprehensive Nuclear-Test-Ban Treaty". The draft resolution (A/C.1/53/L.11) read:

"*The General Assembly*,

"*Recalling* that the Comprehensive Nuclear-Test-Ban Treaty was adopted by resolution 50/245 of 10 September 1996 and opened for signature on 24 September 1996,

"*Noting* that the first meeting of the States Signatories adopted resolution CTBT/MSS/RES/1 of 19 November 1996 thereby establishing the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,

"*Noting also* that in decision 52/414 of 9 December 1997, it decided to include in the provisional agenda of its fifty-third session, the item entitled 'Comprehensive Nuclear-Test-Ban Treaty',

"*Welcoming* the signatures of the Treaty by ... States, including all nuclear-weapon States, and welcoming also ratifications of the Treaty by ... States, including by two nuclear-weapon States,

"*Recalling* the provision in article XIV.2 of the Treaty for a Conference to be convened, at the request of a majority of the States that have ratified, to examine the extent to which the requirement set out in paragraph 1 of this article has been met and to consider and decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process in order to facilitate the early entry into force of this Treaty,

"1. *Calls upon* all States that have not yet done so to sign and to become parties to the Treaty at the earliest possible date, thus contributing to its rapid entry into force and to the early achievement of universal adherence;

"2. *Welcomes* the contributions by States Signatories to the work of the CTBTO Preparatory Commission, in particular, to its efforts to establish the Treaty's verification regime;

"3. *Urges* States to maintain their moratoriums on nuclear-weapons tests and to refrain from acts which would defeat the object and purpose of the Treaty pending its entry into force;

"4. *Decides* to include in the provisional agenda of its fifty-fourth session an item entitled 'Implementation of the Comprehensive Nuclear-Test-Ban Treaty'."

6. At its 31st meeting, on 13 November, the Committee had before it the following amendments submitted by Pakistan (A/C.1/53/L.53) to the draft resolution, by which:

(a) A new fifth preambular paragraph would be added, to read:

"*Recalling* that Article XIV.I requires the signature and ratification by all the States listed in Annex 2 of the CTBT for the Treaty to enter into force";

(b) In operative paragraph 1, the words "*Calls upon*" would be replaced by the word "*Invites*";

(c) In operative paragraph 3, after the words "refrain from acts" there would be inserted the words "especially all forms of nuclear testing for the qualitative development of nuclear weapons".

7. At the same meeting, the Committee also had before it a further amendment submitted by India (A/C.1/53/L.64) to the draft resolution, by which the following words be added at the end of operative paragraph 3:

"and emphasizes that if the objectives of the Treaty were to be fully realized, the continued commitment of all State signatories specially, the nuclear-weapon States, to nuclear disarmament would be essential."

8. At the same meeting, the representative of *New Zealand*, on behalf of the sponsors, withdrew draft resolution A/C.1/53/L.11.

9. Also at the 31st meeting, the representative of New Zealand introduced a draft decision entitled "Comprehensive Nuclear-Test-Ban Treaty" (A/C.1/53/L.65).

10. At the same meeting, the Committee adopted draft decision A/C.1/53/L.65 by a recorded vote of 135 to none, with 4 abstentions (see para. 11). The voting was as follows:

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia.

Against:

None.

Abstaining:

Bhutan, India, Lebanon, Syrian Arab Republic.

III. Recommendation of the First Committee

11. The First Committee recommends to the General Assembly the adoption of the following draft decision:

Comprehensive Nuclear-Test-Ban Treaty

The General Assembly, on the recommendation of the First Committee, recalling its resolution 50/245 of 10 September 1996, decides to include in the provisional agenda of its fifty-fourth session the item entitled "Comprehensive Nuclear-Test-Ban Treaty".